

Remarks

With the cancellation of claims 40-42, 52-54, and 64-66, the claims in the case now are 4, 6, 7, 25, 27, 43-51, 55-63, and 67-78.

Claims 45, 48, 51, 57, 60, 63, 69, 72, 75, and 78 stand rejected as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention (§112, ¶2). Claims 4, 6, 25, 27, 41, 43, 44, 46, 47, 49, 50, 53, 55, 56, 58, 59, 61, 62, 65, 67, 68, 70, 71, 73, 74, 76, and 77 have been allowed over the prior art of record.

1. §112, Second Paragraph Rejections

A. Claims 45, 48, 51, 57, 60, 63, 66, 69, 72, 75, and 78 Clearly Define the Forces Which Levitate the Impeller.

The Examiner rejected claims 45, 48, 51, 57, 60, 63, 66, 69, 72, 75, and 78 because it is unclear whether it is the magnetic forces or the fluid forces (or both) that levitate the impeller. As amended, the claims clearly state that fluid forces may levitate the impeller. Support for this amendment is found in the specification on page 21, lines 7-14.

B. Claim 7 Does Not Depend On A Canceled Claim

The Examiner rejected claim due to its dependency on a canceled claim. Claim 7 depends on claim 6 which depends on claim 4. In Applicant's response to the Office Action dated 12/7/94, Applicant amended claim 6 to only depend on claim 4 rather than on claims 4 or 5. Claim 4 is an allowed claim and claim 5 is a canceled claim. Consequently, with the amendment of claim 6, claim 7 no longer depends on a canceled claim.

CONCLUSION

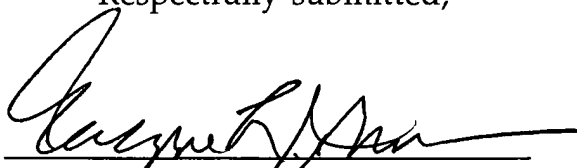
Applicant has complied with or obviated by amendment each of the bases for rejection of the claims on technical grounds. Consequently, the claims appear to be allowable and a Notice of Allowance for claims 7, 45, 48, 51, 57, 60, 63, 69, 72, 75, and 78 is requested.

Respectfully submitted,

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